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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/758,395	01/12/2001	Charilaos Christopoulos	040000-844	9141

27045 7590 04/21/2004
ERICSSON INC.
6300 LEGACY DRIVE
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EXAMINER

OSMAN, RAMY M

ART UNIT	PAPER NUMBER
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2157

DATE MAILED: 04/21/2004

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Please find below and/or attached an Office communication concerning this application or proceeding.

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Office Action Summary

Application No.

09/758,395

Applicant(s)

CHRISTOPOULOS ET AL.

Examiner

Ramy M Osman

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☐ Responsive to communication(s) filed on ____.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-47 is/are pending in the application.
- 4a) Of the above claim(s) ____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) ____ is/are allowed.
- 6) ☒ Claim(s) 1-47 is/are rejected.
- 7) ☐ Claim(s) ____ is/are objected to.
- 8) ☐ Claim(s) ____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on January 12, 2001 is/are: a) ☐ accepted or b) ☒ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. ____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date ____.
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. ____.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: ____.

DETAILED ACTION

Drawings

1. This application, filed under former 37 CFR 1.60, lacks formal drawings. The informal drawings filed in this application are acceptable for examination purposes. When the application is allowed, applicant will be required to submit new formal drawings. In unusual circumstances, the formal drawings from the abandoned parent application may be transferred by the grant of a petition under 37 CFR 1.182.

Claim Rejections - 35 USC § 112

2. The following is a quotation of the first paragraph of 35 U.S.C. 112:

The specification shall contain a written description of the invention, and of the manner and process of making and using it, in such full, clear, concise, and exact terms as to enable any person skilled in the art to which it pertains, or with which it is most nearly connected, to make and use the same and shall set forth the best mode contemplated by the inventor of carrying out his invention.

3. Claim 22 rejected under 35 U.S.C. 112, first paragraph, as failing to comply with the enablement requirement. The claim(s) contains subject matter which was not described in the specification in such a way as to enable one skilled in the art to which it pertains, or with which it is most nearly connected, to make and/or use the invention. User preferences including a cost associated with making the modified set of multimedia data, is not described in the specification.

Claim Rejections - 35 USC § 102

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4. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

5. Claims 1,3-5,7-12,18-21 and 26 are rejected under 35 U.S.C. 102(e) as being unpatentable over Bhagwat et al. (U.S. Patent No. 6,563,517).

6. In reference to claims 1,11,12 and 26, Bhagwat teaches a multimedia system comprising:
one or more end-user terminals (column 2 lines 45-67, Bhagwat discloses one or more client devices);

an external device, wherein said one or more end-user terminals and said external device employ means for communicating (column 2 line 45 – column 3 line 67, Bhagwat discloses means for communication between clients and an external server); and

means for modifying a set of multimedia data, accessible to said external device, for one or more end-users, based on a number of end-user preferences and based on a number of terminal and communication connection capabilities which individually correspond with each terminal employed by each of the one or more end-users, wherein said external device includes means for making the modified set of multimedia data accessible to each terminal employed by the one or more end-users (Summary, column 4 line 45 – column 5 line 67 and column 10 line 1 – column 11 line 45, Bhagwat discloses data transcoding for client(s) based on each client and bandwidth parameters, and making the transcoded data accessible to each client).

7. In reference to claim 3, Bhagwat teaches the system of claim 1, wherein said external device is a server (column 2 line 45 – column 3 line 67).

8. In reference to claims 4 and 5, Bhagwat teaches the system of claim 3, wherein said means for communicating is a wide area network or local area network (columns 1-3, Bhagwat discloses a communication means over a network which can be LAN/WAN).

9. In reference to claim 7, Bhagwat teaches the system of claim 1, wherein said means for modifying the set of multimedia data comprises: means for selecting the set of multimedia data from amongst a larger set of multimedia data (column 13 lines 25-67, Bhagwat discloses selecting a data object from among other data objects).

10. In reference to claim 8, Bhagwat teaches the system of claim 1, wherein said means for modifying the set of multimedia data comprises: means for encoding the set of multimedia data (columns 5&6, Bhagwat discloses modifying data by encoding the data).

11. In reference to claim 9, Bhagwat teaches the system of claim 8, wherein said means for modifying the set of multimedia data comprises: means for data compressing the set of multimedia data (columns 6&7, Bhagwat discloses modifying data by data compression).

12. In reference to claim 10, Bhagwat teaches the system of claim 1, wherein said means for modifying the set of multimedia data comprises: means for scaling the set of multimedia data (column 6, Bhagwat discloses modifying data by reducing the size of image data).

13. In reference to claims 18-21, Bhagwat teaches the system of claim 12, wherein the user preferences are defined by one or more of the end-users, and includes a size, elements (columns 3 & 7 and column 11 line 45 – column 12 line 20, Bhagwat discloses the client defining user preferences, which includes image quality selection, elements and values).

Claim Rejections - 35 USC § 103

14. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

15. Claims 2 and 6 rejected under 35 U.S.C. 103(a) as being unpatentable over Bhagwat et al. (U.S. Patent No. 6,563,517) in view of Savitzky et al. (U.S. Patent No. 6,571,271).

Bhagwat teaches the method of claim 1 above. Bhagwat does not explicitly teach wherein said external device is a camera, or a disk drive. However, Savitzky teaches a networked digital camera, and a networked image server with a hard disk (columns 1-3 and figs 1&2).

It would have been obvious for one of ordinary skill in the art to modify Bhagwat by making the external device a camera or hard disk as per the teachings of Savitzky so that various multimedia sources can be accessible to the end users.

16. Claims 13-15 rejected under 35 U.S.C. 103(a) as being unpatentable over Bhagwat et al. (U.S. Patent No. 6,563,517) in view of Haeberli (U.S. Patent No. 6,587,596).

Bhagwat teaches the method of claim 12. Bhagwat does not explicitly teach wherein the larger set of multimedia data relates to a still image, wherein the selected set of multimedia data comprises one or more regions of interest in the still image, wherein the selected set of multimedia data comprises a cropped portion of the still image. However, Haeberli teaches

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multimedia data as still images, and selecting a region of the still image for cropping (Abstract and columns 2&3).

It would have been obvious for one of ordinary skill in the art to modify Bhagwat by making a still image available for cropping as per the teachings of Haeberli so that the client can choose a specific portion of data thus reducing image size to be sent to client.

17. Claims 16,17,23 and 24 rejected under 35 U.S.C. 103(a) as being unpatentable over Bhagwat et al. U.S. Patent No. 6,563,517) in view of Mohan et al. (IEEE Transactions on Multimedia, 1520-9210/99).

18. In reference to claims 16 and 17, Bhagwat teaches the method of claim 12 above. Bhagwat fails to explicitly teach wherein the larger set of multimedia data relates to a video and audio object, and wherein the selected set of multimedia data comprises a segment of the video and audio object. However, Mohan teaches selecting key video frames and audio rates in the process of modifying multimedia content for different type client devices (pages 107, 109, 112 and figure 2).

It would have been obvious for one of ordinary skill in the art to modify Bhagwat by selecting key audio and video from a larger set of audio and video as per the teachings of Mohan so that the audio and video can be modified for different client devices.

19. In reference to claims 23 and 24, Bhagwat teaches the method of claim 12 above. Bhagwat fails to explicitly teach wherein said terminal capabilities include a display size and a level of resolution associated with each of the one or more end-user terminals which correspond to the one or more end-users that are to have access to the modified set of multimedia data. However, Mohan teaches modifying multimedia content for a variety of client devices where

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device capabilities include display size and resolution (pages 106-109, 112, 113 and figures 3, 5 & 6).

It would have been obvious for one of ordinary skill in the art to modify Bhagwat by modifying content based on client capabilities as per the teachings of Mohan so that varying clients with varying capabilities can all access the same content.

20. Claim 25 rejected under 35 U.S.C. 103(a) as being unpatentable over Bhagwat et al. (U.S. Patent No. 6,563,517) in view of Tracton et al. (U.S. Patent No. 6,470,378).

Bhagwat teaches the method of claim 12 above. Bhagwat fails to explicitly teach wherein said terminal capabilities include an amount of processing power associated with each of the one or more end-user terminals which correspond to the one or more end-users that are to have access to the modified set of multimedia data. However, Tracton teaches content modification in a client-server environment where client capabilities are determined based on CPU speed and type (column 6 line 50 – column 7 line 67 and column 10).

It would have been obvious for one of ordinary skill in the art to modify Bhagwat by modifying content based on client capabilities as per the teachings of Tracton so that varying clients with varying capabilities can all access the same content.

21. Claim 27 rejected under 35 U.S.C. 103(a) as being unpatentable over Bhagwat et al. (U.S. Patent No. 6,563,517) in view of Gersbach et al. (U.S. Patent No. 5,418,789).

Bhagwat teaches the method of claim 12 above. Bhagwat fails to explicitly teach wherein said communication connection capabilities include a bit error rate. However, Gersbach teaches determining communication connection including a bit error rate (columns 1-3).

It would have been obvious for one of ordinary skill in the art to modify Bhagwat by estimating the bit error rate as per the teachings of Gersbach so as to accurately estimate the connection capabilities between the client and server.

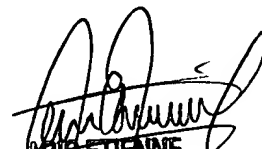
22. Claims 28-47 do not teach any new limitations above claims 1-27 and are therefore rejected for the above mentioned reasons.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Ramy M Osman whose telephone number is (703) 305-8050. The examiner can normally be reached on Monday through Friday 9AM to 5PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Ario Etienne can be reached on (703) 305-7562. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

RMO
April 5, 2004


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TECHNOLOGY CENTER 210